



PATENT Attorney Docket No. 2481-1603-00

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re National Phase Application of PCT/EP97/01167	) )
Robert BARTLETT et al.	) )
Serial No.: To be assigned	) ) Group Art Unit: To be assigned )
Filed: Concurrently herewith	) Examiner: To be assigned
For: PREPARATION CONTAINING A COMBINATION OF 5-METHYLISOXZAOLE- 4-CARBOXYLIC ACID-(4-TRI- FLUOROMETHYL)-ANILIDE AND N-(4-TRIFLUORO-METHYLPHENYL)- 2-CYANO-3-HYDROXYCROTONIC ACID AMIDE	) ) ) ) ) Box PCT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed within three months of the filing date of the above-referenced application and within three months of the date of entry of the national stage in an international application.

Copies of the listed documents are attached.

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Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

U.S. Patent No. 5,728,721 is the English language equivalent of DE 41 27 737 A1.

U.S. Patent No. 5,268,382 is the English language equivalent of EP 0 217 206 A2.

U.S. Patent No. 5,494,911 is the English language equivalent of WO 91/17748.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

By: Allen R. Jensen Reg. No. 28,224

Carol P. Enand. Rej. No. 32, 220

Date: July 15, 1998

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